



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/557,820	11/23/2005	Kwan Young Han	P2614US00	2544
58027	7590	01/22/2010	EXAMINER	
H.C. PARK & ASSOCIATES, PLC 8500 LEESBURG PIKE SUITE 7500 VIENNA, VA 22182			TRAN, TONY	
ART UNIT	PAPER NUMBER			2894
NOTIFICATION DATE	DELIVERY MODE			
01/22/2010	ELECTRONIC			

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATENT@PARK-LAW.COM

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/557,820

Applicant(s)

HAN ET AL.

Examiner

TONY TRAN

Art Unit

2894

—The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

THE REPLY FILED 13 January 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

a) The period for reply expires 3 months from the mailing date of the final rejection.
 b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
 Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) They raise the issue of new matter (see NOTE below);
 (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. Applicant's reply has overcome the following rejection(s): _____.

6. Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: _____

Claim(s) withdrawn from consideration: _____

AFFIDAVIT OR OTHER EVIDENCE

8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fail to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet

12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____

13. Other: _____

/Kimberly D Nguyen/
 Supervisory Patent Examiner, Art Unit 2894

Continuation of 11. does NOT place the application in condition for allowance because: In regards to Claims 1 and 16, Applicant argues that "A "heat sink" does not include any element that conducts heat, as the Office Action appears to suggest. And a person of ordinary skill in this art would not interpret the term "heat sink" to encompass a cathode of Roberts's dies 1910 and 1911. Equating cathodes of dies with heat sinks merely because the cathodes conduct heat goes far beyond any reasonable meaning of "heat sink." This arbitrary analysis can not possibly support a *prima facie* case of obviousness. Further, these claim rejections can not withstand appeal for this reason alone." Examiner respectfully disagrees because THE WHOLE 501-505, [FIG. 5] ARE CONSIDERED AS A HEAT SINK BECAUSE THEY ARE "SINKING THE HEAT" AS A DEFINITION OF HEAT SINK, SINCE THEY ARE ELECTRICAL AND THERMALLY CONNECT TO 201 AS SHOWN IN FIGS. 5, 13 AND 16a,19a. Furthermore, Applicant further states that "Thus, it is clear that the heat extraction member 204 in Roberts's Fig. 19A CAN NOT POSSIBLY BE MADE OF CERAMIC. If it were made of ceramic, then the dies 1910 and 1911 could not be electrically bonded to it (see Roberts, col. 29, lines 18-21 & col. 29, line 67 - col. 30, line 4). Hence, the Office Action inappropriately relies on the heat extraction member 204 of Fig. 19A to teach the insulation main body of claims 1 and 16." Examiner respectfully submits that it is CLEARLY SAID IN COL. 9, LINES 61-65 & COL. 10, LINES 1-10 WHEREIN 204 COULD BE MADE BY CERAMIC. Finally, Claims 2-15 and 17-18 depends on claims 1 and 16. Since the rejections of claims 1 and 16 are valid and stand. Thus, the rejections of claims 2-15 and 17-18 are valid as stand as well.